

## **REMARKS**

In response to the Notice of Non-Compliant Amendment dated November 1, 2006, Applicants have included a claim identifier for claim 24. For the convenience of the Examiner, Applicants have included a copy of the remarks section from the response filed on August 14, 2006.

### **Drawings**

Enclosed herewith are Replacement Sheets replacing original FIGS. 1-5. FIGS. 1 and 5 stand “objected to under 37 C.F.R. § 1.84(m) because they fail to show the necessary textual description stated in the drawings figures of figures 1 and 5.” The shading has been removed from FIGS. 1 and 5. Applicants respectfully assert that FIGS. 1 and 5 comply with 37 C.F.R. § 1.84(m).

Furthermore, FIGS. 2 and 5 have been amended. FIG. 2 has been amended to show a volume manager 221 instead of a volume manager 112. FIG. 5 has been amended to include a “file management system 500.” Applicants assert that no new matter is introduced by the amendments to FIGS. 2 and 5.

### **Specification**

The Specification stands objected to. The Examiner has required that the Applicants provide serial numbers for the related applications indicated on page 1, ¶ [01] of the specification.

Submitted herewith is a replacement paragraph that replaces the original version of ¶ [01]. Applicants assert that the specification overcomes the Examiner’s objection.

### **Double patenting**

Claims 1 and 2 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting. Applicants assert that claims 1 and 2 of the present

application are patentably distinct over the other claims identified by the Examiner. Applicants, however, are submitting a terminal disclaimer herewith, thus obviating the double patenting rejection of claims 1 and 2.

### **35 U.S.C. § 101 rejections**

Claim 1 stands rejected under 35 U.S.C. § 101 because it is directed to a system of managing volumes of electronic files which is an abstract idea or the mere manipulation of an abstract idea. Applicants thank the Examiner for the suggestion of amending claim 1 to read “A computerized file management system.” Claim 1 has been amended to reflect the Examiner’s suggested language. Thus, Applicants assert that claim 1 satisfies 35 U.S.C. § 101.

### **35 U.S.C. § 103 rejections**

Claims 1-11, and 13-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,572 (Sitka) in view of U.S. Patent No. 6,741,996 (Brechner).

Sitka in view of Brechner does not teach, disclose, suggest, or make obvious a computerized file management system, as recited in claim 1, for use with an existing file system including a user interface configured to graphically display information indicative of a transaction history of a selected file. The Examiner cited FIG. 10, col. 3, ll. 42-46, col. 11, ll. 41-67, col. 12 ll. 19 & 26-57, col. 13, ll. 57-67, col. 14, ll. 1-61 of Brechner as teaching a “user interface graphically displaying information about the files and the metadata.” (Office Action dated 2/13/06, p. 8) Brechner discusses a media clip organizer software application that simplifies browsing the media clips. Abstract. The portions of Brechner cited by the Examiner discuss a GUI window 280 that includes a collections list pane 288 and a media file list pane 300. Col. 14, ll. 29-67. Media files 302 are displayed in the file list pane 300, including names of each media file in a current selected collection, a caption 304, and keywords 306 that are derived from a path of a folder 294 where the media files 302 are stored. *Id.* The cited portions of Brechner,

however, do not disclose that the GUI window 300 includes information indicative of a transactional history. Independent claim 1, in contrast, recites a user interface configured to graphically display information about electronic files and the metadata, the information being indicative of a transactional history of a selected file of the electronic files.

Furthermore, Sitka in view of Brechner does not teach, disclose suggest, or make obvious a volume manager, as recited in claim 1, configured to manage metadata. The Examiner cites FIG. 2, element 52 and col. 17, ll. 23-26 of Sitka as teaching or suggesting a volume manager that manages the electronic files as metadata relating to such files. The cited portions of Sitka, however, discuss a volume manager 52 that:

carries out the following tasks: (1) maintains the records in the Volume and Store tables in the database; (2) aids in selecting appropriate destination volumes for IO Requests; (3) gets volumes ready for transferring data; and (4) when data transfer is complete, releases the volumes. In preparing volumes for transfer, volume manager 52: (a) issues Volume Mount requests to the Library Server 16 and handle the responses; and (b) issues requests to Volume Server 18 to prepare the drive and volume for file segment commands, and handle the responses. Volume Server 18 sets up Data Mover 20, 21. To release the volumes, Volume Manager 52 issues requests to Volume Server 18 to release the volume and drive, and issues requests to Library Server 16 to unmount the Volume.

Col. 15, l. 15 – col. 16, l. 4. While Sitka discusses file metadata, the cited portion of Sitka does not disclose that the volume manager manages the metadata. The cited portions discuss that the file metadata is contained in the Database Server 26, rather than a volume. Thus, Sitka does not teach, suggest, disclose, or make obvious a volume manager configured to manage electronic files on the volume and to manage metadata relating to the electronic files on the volume, as does claim 1.

Claims 2-5 and 7-27, which depend from independent claim 1, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitka in view of Brechner. For at least the same reasons stated above with respect to independent claim 1, claims 2-5 and 7-27 are patentable over Sitka in view of Brechner.

**Additional claims**

Claims 28-29 have been added. Applicants assert that no new matter has been introduced by claims 28-29. Applicants assert that claims 28-29 are patentable, and a notice to that effect is respectfully requested.

**Conclusion**

Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. If a telephone conversation with Applicant's representative would help expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at (617) 542-6000.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-0311, Reference No. 25396-007.

Respectfully submitted,

/Kyle Turley/

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Shane Hunter, Reg. No. 41,858  
Kyle Turley, Reg. No. 57,197  
Attorneys for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, PC  
One Financial Center  
Boston, MA 02111  
Tel.: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623

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